

10/07/2003' TUE 17:54 [TX/RX NO 6097] 002

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OFFICE OF PETITIONS

DATE: November 3, 2006
FILE NO: APPM/007729/TCG/EPI/AG
TO: Mail Stop 313(c); Commissioner for Patents
Examiner Robert M. Kunemund
FAX NO: 571-273-0025
COMPANY: USPTO
FROM: Keith M. Tackett
PAGE(S) with cover: 10
ORIGINAL TO FOLLOW? ☐ YES ☒ NO

PETITION TO WITHDRAW FROM ISSUANCE UNDER 37 C.F.R. § 1.313(c)

TITLE: Silicon-Containing Layer Deposition with Silicon Compounds
U.S. SERIAL NO.: 10/688,797
FILING DATE: October 17, 2003
INVENTOR: Singh et al.
EXAMINER: Robert M. Kunemund
GROUP ART UNIT: 1722
CONFIRMATION NO.: 9712

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PTO/SB/30 (07-05)

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Approved for use through 09/30/2006. OMB 0661-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Request For Continued Examination (RCE) Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/688,797
Filing Date	October 17, 2003
First Named Inventor	Singh et al.
Art Unit	1722
Examiner Name	Kunemund, Robert M.
Attorney Docket Number	APPM007729/TCG/EPVAG

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 C.F.R. 1.114

Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
ii. ☐ Other _____

b. ☒ Enclosed

- i. ☐ Amendment/Reply
ii. ☒ Information Disclosure Statement (IDS)
iii. ☐ Affidavit(s)/Declaration(s)
iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. 1.103(e) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. 1.17(f) required)
b. ☐ Other _____

3. Fees The RCE fee under 37 C.F.R. 1.17(e) is required by 37 C.F.R. 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-1074/007729/TCG/EPVAG. I have enclosed a duplicate copy of this sheet.

- i. ☒ RCE fee required under 37 C.F.R. 1.17(e)
ii. ☐ Extension of time fee (37 C.F.R. 1.138 and 1.17)
iii. ☐ Other _____

- b. ☐ Check in the amount of \$ _____ enclosed

- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

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WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	<i>Robert W. Mulcahy</i>	Date	November 3, 2006
Name (Print/Type)	Robert W. Mulcahy	Registration No.	25,436

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	<i>Keith M. Tackett</i>	Date	November 3, 2006
Name (Print/Type)	Keith M. Tackett		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT
Atty. Dkt. APPW007729/TCG/EPI/AG

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Singh et al.

Serial No.: 10/688,797

Confirmation No.: 9712

Filed: October 17, 2003

For: Silicon-Containing Layer
Deposition with Silicon
Compounds

Group Art Unit: 1722

Examiner: Kunemund, Robert M.

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OFFICE OF PETITIONSMAIL STOP RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450CERTIFICATE OF FACSIMILE
TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence and the documents referred to as attached therein are being facsimile transmitted to the U.S. Patent and Trademark Office to the fax number 571-273-8300, attention Mail Stop 313(c), on the date below.

November 3, 2006
Date

Keith M. Tackett

Dear Sir:

INFORMATION DISCLOSURE STATEMENT

The Applicants, and the Attorney who signs below on the basis of the information supplied by the inventor and the information in his file, submit herewith patents, publications, or other information of which they are aware, which may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR § 1.56.

While the information submitted in this Information Disclosure Statement may be material pursuant to 37 CFR § 1.56, it is not intended to constitute an admission that any patent, publication, or other information referred to therein is prior art for this invention unless specifically designated as such.

In accordance with 37 CFR § 1.97, this Information Disclosure Statement is not to be construed as a representation that a search has been made or that no other possibly material information as defined under 37 CFR § 1.56(a) exists.

COPY

The patents and/or publications submitted herewith are set forth on the attached Form PTO-1449.

If the sum of \$180.00 is due under 37 CFR § 1.17(p) pursuant to § 1.97, the Commissioner is hereby authorized to charge this fee, and any other fee necessary to make this submission timely, to the Deposit Account No. 20-0782/APPM/007729/KMT.

Respectfully submitted,



Keith M. Tackett
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Attorney for Applicant

NOV 03 2006

007/010

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PTO/SB/08A (07-06)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

1

of

1

Complete If Known

Application Number	10/688,797
Filing Date	October 17, 2003
First Named Inventor	Singh et al.
Art Unit	1722
Examiner Name	Kunemund, Robert M.
Attorney Docket Number	APPM/007729/TCG/EPI/AG

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U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			

FOREIGN PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				

OTHER INFORMATION

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	C1	<p>Applied Materials has been notified by Dow Corning that it asserts one or more unnamed employees of Dow Corning contributed to the subject matter claimed in Applicant's pending application. Dow Corning has not identified the names of the individual(s) that it asserts may have contributed to the invention.</p> <p>Applied Materials does not believe Dow Corning's assertion regarding its employees' sole or joint inventorship has merit, and believes in good faith that Kaushal K Singh, Paul B. Comita, Lance A. Scudder, and David K. Carlson are the true and first inventors of all of the claimed subject matter in their pending patent application.</p> <p>Applied Materials is bringing this information to the Examiner's attention to satisfy its duty under the Rules, and further to request that the Examiner consider whether, in his judgment, a more comprehensive interference search for any pending application by Dow Corning should be conducted prior to issuing the currently-pending and previously-allowed claims. There is no additional attachment to this form.</p>	

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FROM: Keith M. Tackett
PAGE(S) with cover: 6
ORIGINAL TO FOLLOW? ☐ YES ☒ NO

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OFFICE OF PETITIONS

**REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL; INFORMATION
DISCLOSURE STATEMENT AND PTO FORM 1449 SB/08A**

TITLE: Silicon-Containing Layer Deposition with Silicon Compounds
U.S. SERIAL NO.: 10/688,797
FILING DATE: October 17, 2003
INVENTOR: Singh et al.
EXAMINER: Robert M. Kunemund
GROUP ART UNIT: 1722
CONFIRMATION NO.: 9712

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PAGE 18 - RCV'D AT 11/03/2006 16:58 FAX 7136234846